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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,655	01/24/2000	Bernard Daskal	28951/3	6092
<div>Charles R Macedo Amster Rothstein &amp; Ebenstein 90 Park Avenue 21st Floor New York, NY 10016</div>				
<div>7590 09/23/2010</div>				
<div>EXAMINER ANDERSON, CATHARINE L</div>				
<div>ART UNIT 3761 PAPER NUMBER</div>				
<div>MAIL DATE 09/23/2010 DELIVERY MODE PAPER</div>				

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* BERNARD DASKAL

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Appeal No. 2010-006336  
Application 09/489,655  
Technology Center 3600

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Before DALE M. SHAW, *Division 2 Support Administrator*.

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on January 6, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

STATUS OF AFTER FINAL AMENDMENTS

A review of the file finds an After Final Amendment was filed on July 22, 2008 and the record is unclear if the amendment after final has been approved for entry. Clarification of the status of the amendment and the Declarations filed subsequent to Final rejection is required.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Amendment and Declarations filed July 22, 2008 as indicated above;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

mev

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